

JUST THE FAX...

To: Carole WilsonFrom: Rachel FrancisFAX NUMBER: 916-447-3447Date: 4/2/09

COMPANY:

TOTAL NO. OF PAGES INCLUDING COVER:

3

PHONE NUMBER:

REFERENCE NUMBER:

Re: Stormwater Permit Letter☐ URGENT☒ FOR REVIEW☐ PLEASE COMMENT☐ PLEASE REPLY☐ PLEASE RECYCLEhard copy to follow by U.S. mail.

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Assembly California Legislature

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April 2, 2009

John Muller, Chair
Bruce Wolfe, Executive Officer
San Francisco Bay Regional
Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Chairman Muller and Mr. Wolfe:

We are writing to request that you work with the municipal storm-water staff to modify the February 11 version of the draft municipal regional stormwater permit. The objective is to make reasonable progress in protecting water quality while recognizing the fiscal challenges/limitations and declining revenues facing California's local governments in light of what most expect to be a prolonged economic downturn.

Fortunately, such a modification appears to be fully consistent with the federal Clean Water Act as it provides the San Francisco Bay Regional Water Quality Control Board with considerable flexibility in identifying what comprises a "maximum extent practicable" level of effort for reducing pollutants in discharges of stormwater from municipal separate storm sewer systems.

While the improved water quality goals of the municipal regional permit are laudable, the specific requirements proposed for improvements in existing municipal stormwater programs need to be better prioritized. Specifically, we believe that the highest priority during the upcoming permit's five-year permit period should be to reduce the amounts of trash and litter that are reaching local waterways through stormwater conveyances. Other more fiscally burdensome requirements, such as those related to water quality monitoring, mercury, and polychlorinated biphenyls (PCBs) should be scaled back and/or further phased out into subsequent five-year permit periods.

The many new requirements for water quality monitoring, special studies, and pilot projects need to be reduced so that local governments can focus their limited and likely declining streams of available resources on continuing to implement their existing core stormwater management programs while making further concrete progress on trash.



Therefore it is requested that the follow actions be considered.

- 1- Defer approval at the May 13 meeting such that additional dialogue may occur between your staff and the municipal storm-water staff.
- 2- It is recommend that you direct your staff to work closely with municipal storm-water staff to determine the appropriate phasing and reduction in the proposed requirements for monitoring, PCB's and mercury consistent with resource limitations.

We would also request that the San Francisco Bay Regional Water Quality Control Board assist local governments in obtaining federal and state grants and forgivable loans that may be used to help local public agencies with their efforts to improve stormwater quality and to tie the most fiscally demanding new permit requirements to the receipt of such funds.

Thank you in advance for your consideration and for your further efforts in crafting a municipal regional permit that is appropriate for these challenging and unusually difficult times for all concerned.

Sincerely,

A handwritten signature in black ink, appearing to be 'Fiona Ma', written over the word 'Sincerely,'.

Fiona Ma